

HOUSE BILL NO. 475

INTRODUCED BY BUZZAS

A BILL FOR AN ACT ENTITLED: "~~AN ACT ALLOWING A COUNTY GOVERNING BODY TO IMPOSE~~
REQUIRING A COUNTY TREASURER TO COLLECT A SURCHARGE ON MOTOR HOME REGISTRATION
FEES, THE REVENUE FROM WHICH MUST BE DEPOSITED IN THE COUNTY GENERAL FUND; ~~AND~~
AMENDING SECTIONS 61-3-509 AND 61-3-522, MCA; AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, motor homes are not subject to the local option vehicle tax or the local option flat fee; and
WHEREAS, law firms have established limited liability companies with Montana addresses for people
who are not Montana residents so that they may license their motor homes in Montana; and

WHEREAS, many of the motor homes licensed through these limited liability companies are not even
purchased in Montana or parked in Montana; and

WHEREAS, nonresidents use these limited liability companies to license expensive motor homes in
Montana in order to pay lower registration fees and avoid sales tax in their home state; and

WHEREAS, processing the paperwork for these motor homes has become a burden for local motor
vehicle department staff; and

WHEREAS, since September 3, 2003, Missoula County has processed approximately 664 titles and
1,852 renewals for the two law firms that established limited liability companies; and

WHEREAS, the State of Montana benefits from these registrations but counties do not receive any
revenue from local option taxes or flat fees and face increased workloads.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-3-509, MCA, is amended to read:

"61-3-509. Disposition of fees. All registration fees imposed by 61-3-561 from light vehicles, all
registration fees imposed by 61-3-522 from motor homes except as provided in 61-3-522(3), all fees in lieu of
tax imposed by 61-3-527 from motorcycles and quadricycles, and all fees imposed by 61-3-529 from buses,
motor vehicles having a manufacturer's rated capacity of more than 1 ton, and truck tractors, for which a license
is sought and an original application for title that includes a manufacturer's statement of origin is made, must be

remitted to the department of revenue every 30 days. The department of revenue shall credit the payments to the state general fund."

Section 2. Section 61-3-522, MCA, is amended to read:

"61-3-522. Schedule of fees for motor homes. (1) The owner of a motor home shall pay a fee based on the age of the motor home according to the following schedule:

less than 2 years old	\$250
2 years old and less than 3 years old	230
3 years old and less than 4 years old	195
4 years old and less than 5 years old	150
5 years old and less than 6 years old	125
6 years old and less than 7 years old	100
7 years old and less than 8 years old	75
8 years old and older	65

(2) (a) Except as provided in subsection (2)(b), the age of a motor home is determined by subtracting the manufacturer's designated model year from the current calendar year.

(b) If the purchase year of a motor home precedes the designated model year of the motor home and the motor home is originally titled in Montana, then the purchase year is considered the model year for the purposes of calculating the fee in lieu of tax.

~~(3) (a) Following a public hearing for which notice is given as provided in 7-1-2121, the governing body of a county may adopt a resolution to impose a surcharge not to exceed 10% of the fees provided in subsection (1) to be paid in addition to the appropriate fee required in subsection (1) and all other taxes and fees required for motor homes under this chapter.~~

~~(3) (A) THE COUNTY TREASURER SHALL COLLECT A SURCHARGE OF 10% OF THE APPROPRIATE FEE REQUIRED IN SUBSECTION (1) IN ADDITION TO THE FEE REQUIRED IN SUBSECTION (1) AND ALL OTHER TAXES AND FEES REQUIRED FOR MOTOR HOMES UNDER THIS CHAPTER.~~

~~(b) Revenue from the surcharge must be deposited in the county general fund."~~

NEW SECTION. SECTION 3. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE JULY 1, 2005.

- END -